

YOUNG & THOMPSON
 International Patent & Trademark Law



Established 1903

Emil Bönnelycke
1875-1936

September 8, 2004

William H. Young
1902-1958

To: SPE Patrick RYAN
 Group 1745
 United States Patent and Trademark Office

Irvin S. Thompson
1903-1979VIA TELEFAX - 571-273-1292

Re: Claude Maurice DREULLE et al.
 U.S. Appln. No. 09/936,231
 Filed September 12, 2001
Our Ref.: 0512-1099

Dear Mr. Ryan:

Pursuant to our telephone conversation of yesterday, we transmit immediately hereafter a copy of a Petition to Withdraw the Holding of Abandonment which was filed in the United States Patent and Trademark Office on March 2, 2004, as well as a copy of our postcard receipt which evidences the filing of such Petition on that date.

Your prompt attention to this matter is sincerely appreciated.

Respectfully submitted,

YOUNG & THOMPSON

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MAIL STOP PETITIONS
Attorney Docket No. 0512-1099
PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of Attention: Office of Petitions
Claude Maurice DREULLE et al. Conf. 2580
Application No. 09/936,231 Group 1745
Filed September 12, 2001 Examiner C. Chaney
BOX FOR SET OF ELECTRIC STORAGE BATTERIES

BOX FOR SET OF ELECTRIC STORAGE BATTERIES

PETITION UNDER 37 CFR § 1.181
TO WITHDRAW THE HOLDING OF ABANDONMENT

Sir:

Withdrawing of the holding of abandonment in the above-identified application pursuant to 37 CFR § 1.181 and § 711.03(c) of the Manual of Patent Examining Procedure (MPEP) is respectfully requested for the following reasons.

On August 5, 2003, Applicants filed a timely amendment in response to the Official Action of May 8, 2003.

Since we had not yet received a response to our amendment, we recently conducted a search on the Patent Application Information Retrieval (PAIR) system of the USPTO. The search revealed that a final rejection was apparently mailed on October 15, 2003, as is evidenced by the accompanying print-out.

Docket No. 0512-1099

The undersigned registered patent attorney hereby states that no Official Actions have been received from the USPTO after the filing of the August 5, 2003 amendment, and attests to the fact that a search of the file jacket and docket records confirms that no USPTO communication has been received following Applicants amendment of August 5, 2003.

Petitioner submits herewith as Exhibit A a copy of the manual docket record where the non-received final Official Action would have been entered, had it been received and docketed for a due date of Thursday, January 15, 2004.

Petitioner submits herewith as Exhibit B a copy of the computer docket record where the non-received final Official Action would have been entered, had it been received and docketed for a due date of Thursday, January 15, 2004.

In addition, Petitioner also submits as Exhibit C a copy of the file jacket of the above-captioned application, which clearly reveals that no additional entry has been made thereon following the filing of the August 5, 2003.

A telephone call to Primary Examiner Carol Chaney on February 25, 2004 resulted in a courtesy copy of the substance of the final rejection being telefaxed to the undersigned attorney.

In view of the above remarks, and the accompanying Exhibits, it is respectfully submitted that Petitioner never officially received the final rejection mailed on October 15, 2003, which set out a shortened statutory period of three months, or until January 15, 2004, for response.

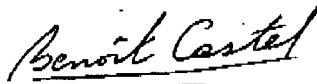
Docket No. 0512-1099

Accordingly, it is respectfully requested that:

- 1) any holding of abandonment for failure to respond to the outstanding official action be withdrawn;
- 2) Applicants be provided with all USPTO communications dated after August 5, 2003, including the final rejection of October 15, 2003; and
- 3) the period for responding to the final rejection be restarted from the date of the re-mailing of the Final Office Action.

Respectfully submitted,

YOUNG & THOMPSON



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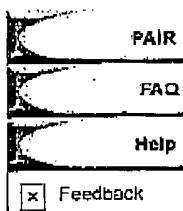
Enclosures copy of PAIR print out
 Exhibit A - Manual docket for due date of
 January 15, 2004
 Exhibit B - computer docket for due date of
 January 15, 2004
 Exhibit C - copy of file jacket



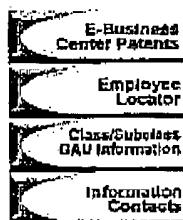
United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Search results for application number: 09/936,231

Application Number:	09/936,231	Customer Number:	466
Filing or 371(c) Date:	09-12-2001	Status:	Final Rejection Mailed
Application Type:	Utility	Status Date:	10-15-2003
Examiner Name:	CHANAY, CAROL DIANE	Location:	1700 CENTRAL FILES OVERFLOW FRANCONIA
Group Art Unit:	1745	Location Date:	02-11-2004
Confirmation Number:	2580	Earliest Publication No.:	-
Attorney Docket Number:	EDV/MAE BET 01/0599	Earliest Publication Date:	-
Class/ Sub-Class:	429/099	Patent Number:	-
First Named Inventor:	Claude Maurice, Beaurains, (FR)	Issue Date of Patent:	-
Title Of Invention:	Box for set of electric storage batteries		

Select Search Option

 Foreign Priority
 Publication Review

File History

Number	Date	Contents Description
16	10-15-2003	Mail Final Rejection (PTOL - 326)
15	10-15-2003	Final Rejection
14	08-12-2003	Date Forwarded to Examiner
13	08-05-2003	Response after Non-Final Action
12	06-11-2003	Miscellaneous Incoming Letter
11	05-08-2003	Mail Non-Final Rejection
10	05-05-2003	Non-Final Rejection
9	09-12-2001	Information Disclosure Statement (IDS) Filed
8	09-12-2001	Preliminary Amendment
7	06-25-2002	Case Docketed to Examiner in GAU
6	01-25-2002	IFW Scan & PACR Auto Security Review
5	01-18-2002	Application Dispatched from OIPE
4	01-18-2002	Notice of DO/EO Acceptance Mailed
3	09-24-2001	Correspondence Address Change
1	09-12-2001	Initial Exam Team nn

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JANUARY 2004 DOCKER

AmendmentsIssue Fees

15 SATOR 8017-1081-1 09/875,039 Allowed? Brief ~~Ext. 2~~ PIP ~~Ext. 2~~ 2
~~REEDER 4301 1024 09/056,352 Allowed? Brief Ext. 2 Ext + DIV 1-15~~
~~MAPEDA 0046 1022 09/880,938 Allowed? Ext. 31 allowed 1-13~~
~~OPNER 4301 1049 09/889,095 FINAL Ext. 31 RCE w/amt 1-14~~
~~PERIQUE 0540 1005/1 10/051,175 Allowed? Ext. 31 yd 1/9 MILES 3003 1092 29/180,692 yd 1-15~~
~~POLDEVAART 2001-1227-1 10/331,632 Ext. 3 YAMAMOTO 0049 1003 10/229,144 yd 1-15~~
~~NAKAMURA 10/046,701 Ext. 1 amdt 1-12~~
~~PAUCHARD 0519-1008 10/181,691 Ext. 2~~
~~UCHIDA 0035 1018 09/081,813 Ext. 17 amdt 1-14~~
~~GIACOMINI 2527-1006 09/980,830 Ext. 1~~
~~HERBERT 1509-1017 09/701,306 Ext. 1~~
~~POERV 4503 1001 76/047,651 drop 1-14~~
~~SHIBATA 002 1030 09/927,490 amdt 1-12~~
~~SUZUKI 8038-1015 10/207,764 Ext. 1~~
~~TAKE 0040 1041 09/613,331 Ext. 1 amdt 1-8~~
~~WORLDWIDE 5530-1003 76/483,560 amdt 1-15~~
~~WORLDWIDE 5530-1004 76/483,561 drop 1-14~~
~~VAN SOEST 2001-1209 09/869,706 FINAL PIP - Ext. 4 (mid4 AFX 1-90~~
~~WERNER 1510 1079 10/258,483 SF (transfer in case) Reg. 1-15~~

EXHIBIT A

Report Selection	
<input checked="" type="radio"/> by Due Date <input type="radio"/> by Due Date (Calendar) <input type="radio"/> by Attorney <input type="radio"/> by Attorney (Via Email) <input type="radio"/> by Client	
From Date: 15-Jan-2004	To Date: 15-Jan-2004
Client: []	Attorney: []
Action Type: []	Action Due: []
Indicator: []	Year: []
Country: []	Area: []
Report Format <input type="radio"/> Concise <input checked="" type="radio"/> Comprehensive <input type="radio"/> Do Not Print	
Remarks <input type="radio"/> Print <input type="radio"/> Do Not Print	
Preview before printing <input checked="" type="checkbox"/>	

EXHIBIT B

Tuesday, March 9, 2004

Due Date List By Date

Due Date	Due Date	Case Number/SubCase	Status	App Number	App Date	Atty
Indicator	Action Type	Country	Client	Pat Number	Iss Date	
15-Jan-2004	1st Extension Brief	8017-10811	Pending	09/85,039	07-Jun-2001	RJP
15-Jan-2004	US-Notice of Appeal	United States of America	WAKABAYASHI PATENT AGENCY			
			<i>Title:</i> LIQUID ELECTROLYTE SOLUTION INCLUDING A HALOGENATED ALIPHATIC POLYOLEFIN DISSOLVED THEREIN AND SECONDARY BATTERY			
15-Jan-2004	Information Dis Follow Up Date	8017-10951	Pending	10/619,001	15-Jul-2003	
Due Date	Information Disclosure Stmt	United States of America	WAKABAYASHI PATENT AGENCY			
			<i>Title:</i> MANUFACTURING METHOD OF SEMICONDUCTOR DEVICE			

DREULLE et al.

GROUP 1745U.S. APPLN. NO. 09/936,231
Conf # 2580

R

ATTORNEY

Cabinet Lavoix

INVENTOR

Claude Maurice DREULLE and Pierre Georges LENAIN

ASSIGNEE

Hawker SA of Arras, FRANCE

TITLE BOX FOR SET OF ELECTRIC STORAGE BATTERIESFILED September 12, 2001 SERIAL NO. conf. # 2580

ALLOWED _____ ISSUE FEE PAID _____

NON-CONVENTION _____ PATENT NO. _____

CC FILED PCT ISSUED _____

FOREIGN APPLNS. FRANCE-Appn. No. 99/03012 filed March 11, 1999

PCT/FR00/00598 filed March 10, 2000

Papers filed <u>September 12, 2001</u> Declaration <u>September 12, 2001</u> Assignment <u>September 12, 2001</u> TIR filed <u>September 12, 2001</u> if P.P. Ar. Inst. & Accept. <u>March 15, 2002</u> DFR Fwd to L <u>Mar 22, 02</u> Assign to <u>March 26-02</u> <u>□</u> <u>MAY - 8 2003</u> Rpt <u>ISPTO records</u> <u>May 21-03</u> Reg. Corp. <u>June 11-03</u> Amft. Rep. <u>Aug 5-03</u>	SMALL ENTITY STATUS CLAIMED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
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EXHIBIT C

3/2/2004
0512-1099

THE STAMP OF THE PATENT OFFICE MAIL HEREON
ACKNOWLEDGES THE RECEIPT OF THE BELOW-IDENTIFIED
DOCUMENT ON THE DATE INDICATED BY SUCH STAMP.

In re: Claude Maurice DREUILLE Conf. 2580
S.N. 09/936,231 MAIL STOP Mail Stop Petitions
Petition Under 37 CFR § 1.181 To Withdrawal Holding of
Abandonment with copy of PAIR print out, Exhibit A (Manual docket for
due date of January 15, 2004), Exhibit B (computer docket for due date of
January 15, 2004) and Exhibit C (copy of file jacket)
BC/maf
0512-1099

